

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA ) 2004 MAR 11 PM 6:24  
 )  
 v. ) CR.NO. 03-10383-RBC-RGS  
 )  
 JULIO FRANCO et al. )  
 )  
 Defendants. )

**GOVERNMENT'S OPPOSITION TO DEFENDANT VEGA'S  
AND SANTIAGO'S MOTIONS FOR DISCOVERY AND INSPECTION**

The United States of America, through Michael J. Sullivan, United States Attorney, and Kevin P. McGrath, Assistant U.S. Attorney, respectfully submits this memorandum in opposition to the Motion for Discovery and Inspection of defendant Santiago and the Motion for Discovery and Inspection of defendant Vega.

The government submits that both defendant's Motions, which are identical in all respects, appear to be boilerplate motions not tailored to the particular facts of this case or to the voluminous discovery already provided by the government as part of automatic discovery. The identical motions make generic requests for discovery that the government has either already provided to defense counsel, or which is beyond the scope of discovery provided for by the Local Rules governing automatic discovery. Indeed, these are precisely the type of generic, omnibus discovery requests that the automatic discovery rules are designed to obviate.

The government respectfully requests that the defendants' motions be denied in their present form, without prejudice, that


defense counsel be directed to file a consolidated motion for discovery focusing on specific items of discovery that they believe they are entitled to under the Local Rules, and which they have not already received, and that the motion be filed only after counsel has attempted to reach agreement with the government regarding the discovery requested. The undersigned is prepared to meet with defense counsel to attempt to resolve these issues promptly.

For the foregoing reasons, the government respectfully requests that defendant Vega and Santiago's Motions for Discovery and Inspection be denied, without prejudice, in their present form.

Respectfully submitted,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

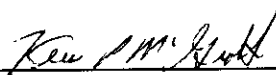
By:

  
\_\_\_\_\_  
KEVIN P. MCGRATH  
Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon Joseph Machera, Esq., 220 Beach Street, Revere, MA 02151 and Charles A. Clifford, Esq., 305 Main Street, P.O. Box 62, Charlestown, MA 02129, by fax and first class mail, postage prepaid, on this date.

March 11, 2004

  
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KEVIN P. MCGRATH  
Assistant U.S. Attorney

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